

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



107128

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

September 1, 2006

Henry Allen
Foras Service Corporation
12046 Altamount Pass Road
Tracy, CA 95376

Hugh and Lois Walker TRS
C/o Hugh Walker
P.O. Box 2999
Livermore, CA 94551-2999

Subject: SLIC Case: ~~980002627~~, Ralph Site-WP Dyer, 4595 Dyer Road, Livermore, CA

Dear Mr. Allen and Mr. Walker:

Alameda County Environmental Health (ACEH) staff has reviewed the case file for the above-referenced site. The information in our case files includes three facsimile submittals consisting of a Emergency Incident Report, sketch maps, chain of custody forms, Sequence of Events Report and Action Plans, and laboratory analytical reports. The most recent ACEH correspondence in our files is a letter from Larry Seto, ACEH Hazardous Materials Specialist, to Mr. Paul Smith of Foras Service Corporation, requesting written justification for leaving up to 10,000 ppm of oil and grease in place at the site. The information contained in the three facsimile messages is not sufficient to document site activities and does not present conclusions or recommendations from an appropriately licensed or certified professional. Therefore, we request that you submit a technical report prepared by a licensed or certified professional engineer or geologist that summarizes the site conditions and available data, presents conclusions regarding site contamination, current and potential future effects of the contamination on human health and the environmental, and presents recommendations for future actions or a justification for case closure.

Based on a telephone conversation with Mr. Henry Allen, we understand that the property has been sold to Florida Power and Light. We could not find a listing for Florida Power and Light in the Alameda County Assessor's records for the site. Please provide a name and address for the responsible individual at Florida Power and Light. Notification of proposed actions to the current landowner is a requirement for SLIC cases.

We request that you perform the proposed work and send us the items described below.

TECHNICAL REPORT REQUEST

Please submit technical reports to Alameda County Environmental Health (Attention: Mr. Jerry Wickham), according to the following schedule:

- **December 29, 2006** – Technical Report with Summary of Site Conditions, Actions Taken to Date, Analytical Data, and Recommendations for Future Actions

These reports are being requested pursuant to California Health and Safety Code Section 25296.10. 23 CCR Sections 2652 through 2654, and 2721 through 2728 outline the responsibilities of a responsible party in response to an unauthorized release from a petroleum UST system, and require your compliance with this request.

ELECTRONIC SUBMITTAL OF REPORTS

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities. Instructions for submission of electronic documents to the Alameda County Environmental Cleanup Oversight Program ftp site are provided on the attached "Electronic Report Upload (ftp) Instructions." Please do not submit reports as attachments to electronic mail.

Submission of reports to the Alameda County ftp site is an addition to existing requirements for electronic submittal of information to the State Water Resources Control Board (SWRCB) Geotracker website. Submission of reports to the Geotracker website does not fulfill the requirement to submit documents to the Alameda County ftp site. In September 2004, the SWRCB adopted regulations that require electronic submittal of information for groundwater cleanup programs. For several years, responsible parties for cleanup of leaks from underground storage tanks (USTs) have been required to submit groundwater analytical data, surveyed locations of monitor wells, and other data to the Geotracker database over the Internet. Beginning July 1, 2005, electronic submittal of a complete copy of all necessary reports was required in Geotracker (in PDF format). Please visit the SWRCB website for more information on these requirements (http://www.swrcb.ca.gov/ust/cleanup/electronic_reporting).

PERJURY STATEMENT

All work plans, technical reports, or technical documents submitted to ACEH must be accompanied by a cover letter from the responsible party that states, at a minimum, the following: "I declare, under penalty of perjury, that the information and/or recommendations contained in the attached document or report is true and correct to the best of my knowledge." This letter must be signed by an officer or legally authorized representative of your company. Please include a cover letter satisfying these requirements with all future reports and technical documents submitted for this case.

PROFESSIONAL CERTIFICATION & CONCLUSIONS/RECOMMENDATIONS

The California Business and Professions Code (Sections 6735, 7835, and 7835.1) requires that work plans and technical or implementation reports containing geologic or engineering evaluations and/or judgments be performed under the direction of an appropriately registered or certified professional. For your submittal to be considered a valid technical report, you are to present site specific data, data interpretations, and recommendations prepared by an appropriately licensed professional and include the professional registration stamp, signature,

Henry Allen
Hugh and Lois Walker TRS
September 1, 2006
Page 3

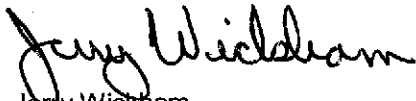
and statement of professional certification. Please ensure all that all technical reports submitted for this fuel leak case meet this requirement.

AGENCY OVERSIGHT

If it appears as though significant delays are occurring or reports are not submitted as requested, we will consider referring your case to the Regional Board or other appropriate agency, including the County District Attorney, for possible enforcement actions. California Health and Safety Code, Section 25299.76 authorizes enforcement including administrative action or monetary penalties of up to \$10,000 per day for each day of violation.

If you have any questions, please call me at (510) 567-6791.

Sincerely,



Jerry Wickham
Hazardous Materials Specialist

Enclosure: ACEH Electronic Report Upload (ftp) Instructions

cc: Donna Drogos, ACEH
Jerry Wickham, ACEH
File

Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC)	ISSUE DATE: July 5, 2005
	REVISION DATE: May 31, 2006
	PREVIOUS REVISIONS: October 31, 2005, December 16, 2005
SECTION: Miscellaneous Administrative Topics & Procedures	SUBJECT: Electronic Report Upload (ftp) Instructions

Effective **January 31, 2006**, the Alameda County Environmental Cleanup Oversight Programs (LOP and SLIC) require submission of all reports in electronic form to the county's ftp site. Paper copies of reports will no longer be accepted. The electronic copy replaces the paper copy and will be used for all public information requests, regulatory review, and compliance/enforcement activities.

REQUIREMENTS

- Entire report including cover letter must be submitted to the ftp site as a **single portable document format (PDF) with no password protection**. (Please do not submit reports as attachments to electronic mail.)
- It is **preferable** that reports be converted to PDF format from their original format, (e.g., Microsoft Word) rather than scanned.
- Signature pages and perjury statements **must** be included and have either original or electronic signature.
- **Do not password protect the document**. Once indexed and inserted into the correct electronic case file, the document will be secured in compliance with the County's current security standards and a password. **Documents with password protection will not be accepted.**
- Each page in the PDF document should be rotated in the direction that will make it easiest to read on a computer monitor.
- Reports must be named and saved using the following naming convention:
RO#_Report Name_Year-Month-Date (e.g., RO#5555_WorkPlan_2005-06-14)

Additional Recommendations

- A separate copy of the tables in the document should be submitted by e-mail to your Caseworker in **Excel** format. These are for use by assigned Caseworker only.

Submission Instructions

- 1) Obtain User Name and Password:
 - a) Contact the Alameda County Environmental Health Department to obtain a User Name and Password to upload files to the ftp site.
 - i) Send an e-mail to dehloptoxic@acgov.org
 - or
 - ii) Send a fax on company letterhead to (510) 337-9335, to the attention of: **ftp Site Coordinator**.
 - b) In the subject line of your request, be sure to include **"ftp PASSWORD REQUEST"** and in the body of your request, include the **Contact Information, Site Addresses, and the Case Numbers (RO# available in Geotracker) you will be posting for.**
- 2) Upload Files to the ftp Site
 - a) Using Internet Explorer (IE4+), go to <ftp://alcoftp1.acgov.org>
 - (i) Note: Netscape and Firefox browsers will not open the FTP site.
 - b) Click on File, then on Login As.
 - c) Enter your User Name and Password. (Note: Both are Case Sensitive.)
 - d) Open "My Computer" on your computer and navigate to the file(s) you wish to upload to the ftp site.
 - e) With both "My Computer" and the ftp site open in separate windows, drag and drop the file(s) from "My Computer" to the ftp window.
- 3) Send E-mail Notifications to the Environmental Cleanup Oversight Programs
 - a) Send email to dehloptoxic@acgov.org notify us that you have placed a report on our ftp site.
 - b) Copy your Caseworker on the e-mail. Your Caseworker's e-mail address is the entire first name then a period and entire last name at acgov.org. (e.g., firstname.lastname@acgov.org)
 - c) The subject line of the e-mail must start with the RO# followed by **Report Upload**. (e.g., Subject: RO1234 Report Upload)

PAY TO THE ORDER OF

COUNTY OF ALAMEDA
ENVIRONMENTAL HEALTH SVCS.
1131 HARBORWAY PARKWAY
ALAMEDA CA 94502

WINDPOWER PARTNERS 1990

Mark Sauer

SIGNATURE HAS A COLORED BACKGROUND - BORDER CONTAINS MICROPRINTING

⑈5000000040⑈ ⑆111000012⑆ 375 129 8456⑈

WINDPOWER PARTNERS 1990,
Vendor Name: COUNTY OF ALAMEDA

Check Date : 08/16/2006
Check Number: 5000000040

Invoice Number	Invoice Date	Document Number Text	Gross Amount	Discount	Net Amount
CHK REQ080806	08/10/2006	The items listed below are managed on the following account: DONALD R WHITE TAX COLLECTOR 1221 OAK STREET OAKLAND 1900002399	3,000.00		3,000.00
		Check Total.....			3,000.00
Subject:					
SHIC					
Case R00002627					
Ralph Site - WP Dyer					
4595 Dyer Road					
Livermore, CA					
Jerry					
		Alameda County AUG 21 2006 Environmental Health			

0.00
AUG 21 PM 3:02
ENVIRONMENTAL HEALTH

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY

DAVID J. KEARS, Agency Director



7

July 10, 2006

Paul Smith
Foras Service Corporation
12046 Altamount Pass Road
Tracy, CA 95376

Hugh and Lois Walker TRS
C/o Hugh Walker
P.O. Box 2999
Livermore, CA 94551-2999

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

Subject: SLIC Case RO0002627, Ralph Site-WP Dyer, 4595 Dyer Road, Livermore, CA

Dear Mr. Smith and Mr. Walker:

A Spills, Leaks, Investigations, and Cleanup (SLIC) case is currently open for the above-referenced site. Our records indicate that the current balance on the above-referenced SLIC oversight account is a negative \$260.00. In order to continue to provide regulatory oversight, we are requesting the submittal of a check made payable to Alameda County Environmental Health in the amount of \$3,000. Please send your check to the attention of our Finance Department.

This deposit may or may not be sufficient to provide all necessary regulatory oversight. ACEH will deduct actual costs incurred based upon the hourly rate specified below. If these funds are insufficient, an additional deposit will be requested. Otherwise, any unused monies will be refunded to you or your designee.

The deposit is authorized in Section 6.92.040L of the Alameda County Ordinance Code. Work on this project is being debited at the Ordinance specified rate, currently \$166.00 per hour.

Please write "SLIC" (the type of project), the site address, and the AR# 0314260 on your check.

If you have any questions, please contact Jerry Wickham at (510) 567-6791.

Sincerely,


Ariu Levi
Division Chief

cc: D. Drogos, J. Jacobs, Jerry Wickham

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

June 29, 1999

Mr. Paul Smith
Foras Service
12046 Altamont Pass Road
Tracy, CA 95376

RE: Ralph Site-WP Dyer, 4595 Dyer Road, Gate #17, Unincorporated Alameda
County

Dear Mr. Smith:

I have reviewed the laboratory results for the confirmatory soil samples taken after the excavation of contaminated soil. Samples # 6 and #7 had elevated levels of oil & grease at concentrations of 6,500 ppm and 10,000ppm respectively. It is my understanding after talking to you that over-excavation in these two areas is not an option because the transformer, and the pad it sits on may lose it's integrity. It is acceptable to backfill the excavation with clean fill material.

Before site closure can be granted, written justification must be submitted to this office explaining why up to 10,000 ppm of oil and grease can be left in the soil at this site without posing a risk to the public health and environment.

If you have any questions, please contact me at (510) 567-6774.

Sincerely,



Larry Seto
Sr. Hazardous Materials Specialist

Cc: Files

COM No.	REMOTE STATION	START TIME	DURATION	PAGES	RESULT	USER ID	REMARKS
718	9254430227	06-29 15:50	00' 36	01/01	OK		

7499402045

ALAMEDA COUNTY
HEALTH CARE SERVICES

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DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES
1131 Harbor Bay Parkway, Suite 250
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(510) 337-9335 (FAX)

June 29, 1999

Mr. Paul Smith
Foras Service
12046 Altamont Pass Road
Tracy, CA 95376

Post-It™ brand fax transmittal memo 7571 # of pages > 1

To <i>Paul Smith</i>	From <i>Carry Sato</i>
Co.	Co.
Dept.	Phone # <i>510-567-6774</i>
Fax #	Fax #

RE: Ralph Site-WP Dyer, 4595 Dyer Road, Gate #17, Unincorporated Alameda County

Dear Mr. Smith:

I have reviewed the laboratory results for the confirmatory soil samples taken after the excavation of contaminated soil. Samples # 6 and #7 had elevated levels of oil & grease at concentrations of 6,500 ppm and 10,000ppm respectively. It is my understanding after talking to you that over-excavation in these two areas is not an option because the transformer, and the pad it sits on may lose it's integrity. It is acceptable to backfill the excavation with clean fill material.

Before site closure can be granted, written justification must be submitted to this office explaining why up to 10,000 ppm of oil and grease can be left in the soil at this site without posing a risk to the public health and environment.

If you have any questions, please contact me at (510) 567-6774.

FORAS SERVICE CORPORATION

DATE

CHECK NO.

VENDOR NO.

INVOICE NO.	INVOICE DATE	AMOUNT	DISCOUNT	VOUCHER NO.	NET AMOUNT
-------------	--------------	--------	----------	-------------	------------

CONTROL # 992535

500.00

500.00

000625

FORAS SERVICE CORPORATION
 WPP/DKB ACCOUNT
 1000 E. GRANT LINE ROAD, SUITE G
 TRACY, CA 95376
 (209) 836-1921

BANK OF AMERICA
 KEARNY MESA BRANCH 1132
 P.O. BOX 23550
 SAN DIEGO, CA 92123

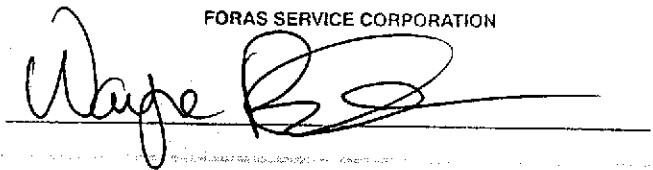
16-68/1220

DATE	CHECK NO.	AMOUNT
6/23/99	000625	\$ 500.00

FIVE HUNDRED AND 00/100 DOLLARS
 COUNTY OF ALAMEDA

PAY TO THE ORDER OF

FORAS SERVICE CORPORATION



⑈000625⑈ ⑆122000661⑆ 09501⑈04469⑈

REF./ ACCT. # M

Project #7685 PAYOR # 1184
STIP 6640

COUNTY OF ALAMEDA,
 OFFICE OF THE AUDITOR-CONTROLLER
 MISCELLANEOUS RECEIPT No 800485

\$ 500 -

FIVE HUNDRED 00/100 DOLLARS

CASH PERSONAL/CASHIER'S CHECK M. O. # 000625 OTHER:

RECEIVED FROM: FORAS SERVICE CORPORATION
 FOR: Dil Spain - 12046 ALTAMONT PASS ROAD TRACY, CA. 95376
 DATE: 6/22/99 RECEIVED BY: [Signature] DEPT. NO.: 430-4530

ALAMEDA COUNTY
HEALTH CARE SERVICES

AGENCY
DAVID J. KEARS, Agency Director



ENVIRONMENTAL HEALTH SERVICES

1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
(510) 337-9335 (FAX)

June 19, 1999

Mr. Paul Smith
Foras Service
12046 Altamont Pass Road
Tracy, CA 95376

RE: Ralph Site-WP Dyer, 4595 Dyer Road Gate #17, Unincorporated Alameda
County

Dear Mr. Smith:

I have reviewed your plan of action from June 25 to June 30, 1999 contained in your fax dated June 21m 1999. It is acceptable. Please submit your laboratory results to this office for review before that excavation is backfilled.

If you have any questions, please call me at (510) 567-6774.

Sincerely,


Larry Seto
Sr. Hazardous Materials Specialist

Cc: Files



**GOVERNOR'S OFFICE OF
EMERGENCY SERVICES
Hazardous Materials Spill Report**

Form OES-100 (Rev. 11/94) 1727

DATE: 06/14/99 TIME: 1727	RECEIVED BY: OES - Bill Pennington OSPR -	CONTROL#: 99-2535
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1. PERSON NOTIFYING GOVERNOR'S OES:

a. NAME: paul Smith **b. AGENCY:** FORAS Service Corp. **c. PHONE#:** 925-443-0235 **d. Ext:** **e. PAG/CELL:**

2. SUBSTANCE TYPE:

2. a. SUBSTANCE:	b. QTY: >=<	Amount	Measure	c. TYPE:	d. OTHER:
1. transformer oil	=	400	Gal(s)	PETROLEUM	
2.	=				
3.	=				
4.	=				

e. DESCRIPTION: Pad transformer blew up

f. CONTAINED: Yes **g. WATER INVOLVED:** No **h. WATERWAY:**

3. a. INCIDENT LOCATION: Altamont Pass Rd, Dyer Rd, 4 mi in from from Dyer Rd
b. CITY: Unincorporated county area **c. COUNTY:** Alameda County **d. ZIP:** 94550

4. INCIDENT DESCRIPTION:

a. DATE: 06/14/99 **b. TIME (Military):** 1435 **c. SITE:** Other
d. INJURIES#: 0 **e. FATALS #:** 0 **f. EVACS #:** 0 **g. CLEANUP BY:** Reporting Party

5. RESPONSIBLE PARTY:

a. NAME: Paul Smith **b. AGENCY:** FORAS Service Corp. **c. PHONE#:** 925-443-0235 **d. EXT.:**
e. MAIL ADDRESS: 100 East Grant Line Rd **f. CITY:** Tracy **g. STATE:** CA **h. ZIP:** 95376

6. NOTIFICATION INFORMATION:

a. NRC#: **b. ON SCENE:**
c. OTHER ON SCENE: **d. OTHER NOTIFIED:**
e. ADMIN. AGENCY: Alameda County Environmental Health, Alameda County Environmental Health **f. SEC. AGENCY:**

g. NOTIFICATION LIST:

		DOG Unit:	RWQCB Unit: 2		
<input checked="" type="checkbox"/> AA/CUFA	<input checked="" type="checkbox"/> DFG-OSPR	<input type="checkbox"/> EMSA	<input type="checkbox"/> OES PLANS UNIT	<input checked="" type="checkbox"/> RWQCB	<input checked="" type="checkbox"/> USFWS
<input type="checkbox"/> AIR RESOURCES BD	<input type="checkbox"/> DHS-D.O.	<input type="checkbox"/> FEMA	<input type="checkbox"/> OES REG	<input checked="" type="checkbox"/> SFM	<input type="checkbox"/> OTHER
<input type="checkbox"/> CALTRANS	<input type="checkbox"/> DOG	<input type="checkbox"/> FOOD & AG	<input type="checkbox"/> OSHA	<input checked="" type="checkbox"/> US EPA	
<input type="checkbox"/> CDF	<input checked="" type="checkbox"/> DTSC	<input type="checkbox"/> LANDS	<input type="checkbox"/> PARKS & REC	<input type="checkbox"/> USMMS	
<input type="checkbox"/> COASTAL COM	<input type="checkbox"/> EB PARKS	<input type="checkbox"/> OES HAZMATUNIT	<input type="checkbox"/> PUC	<input type="checkbox"/> USCO	